

CABINET

12 September 2023

EARLY YEARS PATHWAYS CONSULTATION

Report of the Portfolio Holder for Children's Services

Strategic Aim:	A County for Everyone	
Key Decision: No	Forward Plan Reference: FP/140723	
Exempt Information	No	
Cabinet Member(s) Responsible:	Cllr T Smith - Portfolio Holder for Children's Services	
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Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet:

1. Endorses the approach to developing improved Early Years education arrangements in Rutland and the opportunities to set children on a positive trajectory for their education and into later life, and in their community.
2. Authorises the Strategic Director for Children and Families, in consultation with the Portfolio Holder with responsibility for Children's Services, to move to public consultation over the future of The Parks Special Nursery School.

1. PURPOSE OF THE REPORT

- 1.1 To inform Cabinet of the Early Years Education Pathway and the reasons that Rutland County Council, (RCC), should consult with children and families about future Early Years education and childcare provision.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Rutland's vision is to support all children and young people with Special Educational Needs and or Disabilities (SEND) to lead healthy, independent, and safe lives, to be

a County that promotes inclusion, to maximise their opportunities to be independent and focuses on their abilities not their disabilities and wherever possible, have their needs met locally (Rutland SEND and Inclusion Strategy 2019).

- 2.2 Schools Forum SEND Recovery Plan triggered exploration of the SEND and Inclusion Early Years Pathway in 2019 to examine the current arrangements and to ensure they were either fit for purpose, or plan for a future alternative model. In particular, to utilise the funding available early in the SEND system to help prevent children's needs from escalating and assist their long-term outcomes.
- 2.3 As a result, two proposed changes were identified - to look at the existing resources, both expertise and finances starting with Oakham CE primary school and the Parks, special nursery provision **and** to work with the Early Years (EY), sector to accelerate mainstream capacity and capability to support children with emerging needs in mainstream EY education and childcare settings and nurseries across the independent, private and voluntary sector in Rutland.
- 2.4 A crucial part of shaping effective services is to engage with parents and carers and boost parental confidence in any change to the system so this change is seen as a positive inclusive proposal.
- 2.5 Rutland's work as part of the Department for Education 'Delivering Better Value in SEND' Programme has underlined these as priorities.

3. OPTIONS EXPLORED FOR THE PARKS NURSERY PROVISION

- 3.1 The Parks special nursery school is a separate registered school but on the same site as Oakham primary school. The Parks space comprises 2 classrooms, children have access to shared spaces in the primary school. Special Nursery Schools are now extremely rare in the UK. If available, they are usually designed to meet the needs of children with multiple and very complex special educational needs.
- 3.2 A project was established in 2020 to review the SEND offer on the school site independently facilitated by experts in the field of SEND and education. The project included both The Parks and OCE primary school Designated Special Provision (DSP). This included the then Oakham CE Primary School (now Oakham Academy Primary) Leadership team including Governors at both The Parks Special Nursery School and OCE.
- 3.3 The DSP has historically offered 20 places for children with Education Health and Care Plans, (EHCP)s whose primary needs are Autistic Spectrum Disorder and Moderate Learning Difficulties and had most often been oversubscribed in recent years, but no written specification was in place to set out expectations between OCE primary school and RCC.
- 3.4 The DSP provision did not offer places for Reception Year children, so The Parks generally supported children through Reception and even Year 1, with 7.5 full time equivalent places for 2-6 years.
- 3.5 In recent years numbers of children whose needs were set out as requiring 'specialist' nursery provision have significantly reduced. Children are often placed in the Parks provision, because of lack of places to progress to at Reception, or by parental preference rather than the local authority recommendation or specific requirements or needs for a specialist provision.

3.6 While places remain registered and available there is a risk that this situation will persist, and children will set off on their educational journey in a provision which can meet but does not best match their needs.

3.7 **Reasons for considering closure of The Parks provision:**

3.7.1 Since the Parks has very small groups it is unable to offer some of the experiences that children would benefit from in other nursery settings, a chance to set them on a positive path in their education through socialisation with other children - a key early experience.

3.7.2 Since it is a stand-alone special nursery school, separate to the Oakham Primary school governance there are ongoing issues with operational sustainability due to its size and scale.

3.7.3 It has needed additional budget in recent years to give a viable operating baseline due to fluctuations in pupil numbers.

3.7.4 The Parks placement costs are therefore relatively much more expensive with high staffing ratios putting places at £33k per child yearly as opposed to £10k for equivalent places. It may be better to utilise the available budget to support children in an Early Years setting closer to home.

3.7.5 Following negotiations, a new specification, and Memorandum of Understanding, has been agreed with RLT Academy Trust which now provides education from Reception age in the DSP, from September 2023. The Parks provision, previously had children up to Reception age, but this will now cease.

3.7.6 There are no children of nursery age, due to attend the Parks special nursery school in September 2023. Reception aged children are offered a place in the DSP.

3.7.7 The wider Early Years sector now has access to regular on-site advice and support from a Specialist Early Years Teacher from 2023 and a Senior Speech and Language Practitioner since 2021 to help identify emerging needs and give on hand advice to practitioners. Both providers work on whole settings practice to develop a sustainable system. Both these initiatives are already having a tangible impact on confidence in SEND practice for practitioners and received great feedback from parents.

3.7.8 As part of an established parent collaborative, an EY Pathways Engagement group with parents and carers started in Summer 2023, facilitated by an independent expert by experience, to shape practice and communication and work on making 'great' (in their words) services together.

3.8 These changes pave the way to consult with Rutland's children and families on how best to use the resources in the future and begin formal consultation on the future of The Parks Special School.

4. **CONSULTATION**

Timeline for consultation plans for the future of the Parks Special Nursery School.

4.1 Consult on the future of The Parks provision, utilising the DfE technical process for **Opening or Closing Maintained Schools**. The reason for proposed closure is that

the Parks is no longer considered viable, and there will be no loss of quality or quantity of provision or of expertise and specialism locally as this will be provided in maintained provision. In addition, arrangements will be more accessible and convenient for local parents and children.

4.2 The intention is to build on the positive narrative from parents and carers and Early Years settings and understand and fill in gaps in confidence in supporting child in inclusive mainstream settings.

4.3 The next stage will be to conduct a public meeting and engagement event to launch the formal engagement and consultation process and share the proposed plan. It is planned for early November 2023, once the informal engagement with the community is underway. The rationale for making changes to the Parks provision, and alternative options will be presented to the community. Representation on the proposals, and feedback will be received and reviewed, during the 30-day consultation period. After this stage Cabinet approval will be sought on the model and to proceed. The local authority will have a week to publish the agreed outcome. RCC need to have a position by mid-February 2024, when children's school places are communicated. Subject to the consultation the closure of the Parks would be achieved by September 2024.

5. ALTERNATIVE OPTIONS

5.1 Do nothing, continued pressure on the High Needs Block finances and reduced opportunity to assist children in earliest planning for a positive educational trajectory.

5.2 RCC will consider any alternative options presented during the formal consultation period.

6. FINANCIAL IMPLICATIONS

6.1 The Parks currently has a minimum Funding Guarantee of £250,719 for the 7.5 placements. This includes the £33k place funding. This figure was agreed as from 2017/18 to 21/22 the Council funding more than this in every year other than 20/21 which was a covid hit year.

6.2 As mentioned previously the cost of a place in mainstream provision would be £10k per place (£75k for all 7.5 Park Places. The development of the Early Years Pathway is a key development of the Council's SEND Recovery Plan to ensure the High Needs Budget operates within its funding allocation.

6.3 The deficit on the Dedicated Schools Grant at 31/03/2023 was £1.325m, removing the Parks from the offer in Rutland would generate a saving to the High Needs Block of c£250k.

7. LEGAL AND GOVERNANCE CONSIDERATIONS

7.1 Consultation will be carried out according to the DfE Process and guidelines on 'Opening or Closing Maintained Schools'

8. DATA PROTECTION IMPLICATIONS

8.1 A Data Protection Impact Assessments (DPIA) has not been completed because there are no risks or issues to the rights and freedoms of natural persons.

9. EQUALITY IMPACT ASSESSMENT

- 9.1 Proposed arrangements have the potential to positively impact on children's journey through their education and the opportunity for more children to be educated alongside their peers locally. A full Equality Impact Assessment is not required. The Local Authority has a duty under the Children Act and the SEND Code of Practice to meet the needs of children with additional need or deemed to be children in need.

10. COMMUNITY SAFETY IMPLICATIONS

- 10.1 There are no community safety implications.

11. HEALTH AND WELLBEING IMPLICATIONS

- 11.1 Children who attend local education settings have full benefits of their learning environment, peer and community connections and relationships. These are evidenced to improve long term resilience, aspiration, and wellbeing.

12. ORGANISATIONAL IMPLICATIONS

- 12.1 Environmental implications

- 12.2 There will be opportunity to utilise the Parks space to support the expansion of the primary DSP.

- 12.3 Human Resource implications

- 12.4 As a maintained nursery, the LA has the employer responsibility for the existing staff in the Parks, whom are being deployed to support the expansion of the primary DSP.

13. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 13.1 The proposed changes to the delivery model will provide the opportunity to invest more in supporting children in mainstream settings.

- 13.2 Working with key stakeholders the provision arrangements will be adjusted to meet forthcoming needs, serve more children and families in Rutland and develop a sound and sustainable Early Years arrangements linked to the Family Hub Programme and aligned to SEND and Inclusion Strategy and in line with the SEND and AP Improvement Plan seeking for more effective inclusion of children in paving steps along the way to prepare for Adulthood.

14. BACKGROUND PAPERS

- 14.1 There are no additional background papers.

15. APPENDICES

- 15.1 There are no appendices to the report.

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